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**MAYOR AND COUNCIL  
AGENDA  
AUGUST 9, 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 – June 28, 2011**
- 7. Discussion Items**
  - a. Wind Energy update
  - b. Miniature Golf Course
  - c. Garbage/Recycling specifications
  - d. Engineer's Report
  - e. Ballot question interpretive statement: pesticides/herbicide
  - f. Best Practices
- 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**

**Introduction** (none at present)
- 10. Communications**
  - a. Bingo Licenses
    1. Sisterhood, CAA BL 5-11
    2. Senior Club, CAA BL 6-11
  - b. Request from Jersey Shore Film Festival to use the Fifth Avenue Gazebo on August 24, 2011 with a rain date of August 31th.
- 11. Consent Agenda**
  - A. Authorizes Sewer Billing for Block 63 Lot 2
  - B. Bill List
  - C. Authorizes the release of a performance guarantee posted by B & G Fuel, 117 Main Street
  - D. Authorizes the Borough of Bradley Beach participation in the Bond Financing of the Monmouth County Improvement Authority
  - E. Award of contract to Garden State Bobcat, Inc. of Freehold, NJ for the Public Works Compact Track Loader in the amount of \$67,958.12
  - F. Authorizes the Borough Engineer to prepare bid specifications for the purchase of a Public Works/ Office of Emergency Management vehicle
  - G. Authorizes the Borough Engineer to prepare a miniature golf course topographic survey
  - H. Adoption of Fire Chief Vehicle Policy
- 12. Announcements**

The 10<sup>th</sup> Annual Robert J. Foti Miniature Golf Tournament will be held on Saturday August 13<sup>th</sup> at the miniature Golf Course on Ocean Avenue 10am-2pm. Rain date is Sunday, August 14<sup>th</sup>

Tourism will present a movie in Riley Park on Wednesday, August 17<sup>th</sup> starting at approximately 8:45pm

The Annual Bradley Beach “Kids Race” will be held on Friday, August 19<sup>th</sup> starting on Bradley Boulevard at 6:30pm

The Annual Bradley Beach 5K Race will start at the Fifth Avenue Gazebo on Saturday, August 20<sup>th</sup> at 8:30am

**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 to discuss police arbitration and department personnel matters

**16. Adjournment**

**NEXT MEETING: August 23, 2011 at 6:30 pm**

August 9, 2011  
SEWER UTILITY

RESOLUTION NO. 2011 –

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the following property owner has received a final Certificate of Occupancy for a new dwelling unit and garage apartment;

NOW, THEREFORE, BE IT RESOLVED that the following property owner be charged for sewer utility as stipulated below:

BLOCK/LOT	PROPERTY LOCATION	CHARGES	QUARTER
63/2	317 Fourth Ave.	\$225.00	3Q2011
		\$225.00	4Q2011
		\$225.00	1Q2011
		\$225.00	2Q2011

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:

Cc: sewer billing for new construction

**RESOLUTION NO 2011-**

**August 9, 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 \$1,501,737.76; and that a copy of the itemized computer printout is posted in the Borough Office for public inspection.

**CLEARING ACCOUNT**

**TOTAL        \$ 1,501,737.76**

**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				

August 9, 2011

RESOLUTION 2011 -

RELEASE OF PERFORMANCE GUARANTEE POSTED BY:  
B & G FUEL/US GAS LLC, 117 MAIN STREET,  
BLOCK 70, LOT 6  
FILE NO. ZBA#411-1-27-5

Mayor Schreck offered the following resolution and moved its adoption:

**WHEREAS**, a Performance Guarantee and Inspection escrow in the form of Cash was posted previously to guarantee all requirements for construction of above-stated project at said premises as required for approvals by the Zoning Board of Adjustment; and

**WHEREAS**, after a site inspection performed by Elissa Commins of Birdsall Engineering, Inc. determined that the applicant at that time had not completed and/or met all the conditions of approval as set forth in the Resolution of Site Plan approval to release the entire balance of the Master Escrow, and recommended a reduction in the cash performance guarantee, that was approved by resolution of Mayor and Council dated September 28, 2010; and

**WHEREAS**, after a site re-inspection performed by the Board Engineer, Elissa Commins, it was determined that **all** conditions of approval have now been met and all construction completed; and

**WHEREAS**, Elissa Commins, Board Engineer, has recommended the balance of the Performance Guarantee for the above-referenced project be released in the amount of \$ provided all fees for professional services have been satisfied.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bradley Beach that the Chief Financial Officer of the Borough release the balance in the sum of \$ 6,104.51 from the Master Escrow.

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 August 9, 2011 meeting.

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

August 9, 2011

**RESOLUTION 2011-**

**RESOLUTION OF THE BOROUGH OF BRADLEY BEACH,  
IN THE COUNTY OF MONMOUTH, STATE OF NEW  
JERSEY (THE "LOCAL UNIT") AUTHORIZING THE  
LOCAL UNIT'S PARTICIPATION IN THE BOND  
FINANCING PROGRAM OF THE MONMOUTH COUNTY  
IMPROVEMENT AUTHORITY**

Mayor Schreck offered the following resolution and moved its adoption:

**WHEREAS**, the Borough of Bradley Beach, in the County of Monmouth, State of New Jersey (the "Local Unit"), desires to finance the cost of various items of capital equipment (the "Local Unit Projects"); and

**WHEREAS**, the Local Unit desires to enter into a lease agreement (the "Lease Agreement") with the Monmouth County Improvement Authority (the "MCIA") to acquire and permanently finance the Local Unit Projects; and

**WHEREAS**, the Local Unit has reviewed the Bond Financing Program proposed by the MCIA, whereby the Local Unit would enter into the Lease Agreement through the Bond Financing Program of the MCIA; and

**WHEREAS**, the Local Unit believes that participation in the MCIA's Bond Financing Program will benefit the Local Unit due to reduced interest costs as a result of a guaranty by the County of Monmouth, State of New Jersey (the "County Guaranty") on the debt service of the MCIA Bond Financing Program; and

**WHEREAS**, the Local Unit further believes that any savings the Local Unit can achieve for its taxpayers, especially during this time of economic crisis, is of utmost importance to its community and accordingly, the Local Unit desires to enter into the Lease Agreement through the Bond Financing Program of the MCIA; and

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF BRADLEY BEACH THAT:**

**Section 1.** The Local Unit hereby authorizes the Local Unit's participation in the MCIA Bond Financing Program.

**Section 2.** The Local Unit consents to the MCIA's application to the Local Finance Board of the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board") in connection with the Bond Financing Program.

**Section 3.** (a) The Local Unit reasonably expects to reimburse its expenditure of costs of the Local Unit Projects paid prior to the issuance of the bonds to be issued by MCIA pursuant to the MCIA’s Bond Financing Program (the “MCIA’s Bonds”) with proceeds of the MCIA’s Bonds.

(b) This resolution is intended to be and hereby is a declaration of official intent to reimburse the expenditures for cost of the Local Unit Projects paid prior to the issuance of the MCIA’s Bonds with the proceeds of the MCIA’s Bonds in accordance with Treasury Regulations Section 1.150-2.

(c) The maximum principal amount of the MCIA’s Bonds expected to be issued to finance the Local Unit Projects is \$515,000, which Bonds may be issued in one or more series and in one or more transactions over the next three years.

(d) The costs of the Local Unit Projects to be reimbursed with the proceeds of the MCIA’s Bonds will be “capital expenditures” in accordance with the meaning of Section 150 of the Internal Revenue Code of 1986, as amended (the "Code").

(e) No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations Section 1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147 of the Code. The proceeds of the MCIA’s Bonds used to reimburse costs of the Local Unit Projects, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds,” including “sinking funds,” “pledged funds,” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations Section 1.148-1) of the MCIA’s Bonds or another issue of debt obligations of the MCIA or the Borough, other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations Section 1.148-1).

(f) All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than the MCIA’s Bonds is paid, or (ii) the date the Local Unit Projects is “placed in service” (within the meaning of Treasury Regulations Section 1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

**Section 4.** This resolution shall take effect immediately.

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, Clerk of the Borough of Bradley Beach, in the County of Monmouth, State of New Jersey (the "Local Unit"), DO HEREBY CERTIFY that the attached resolution entitled, "RESOLUTION OF THE BOROUGH OF BRADLEY BEACH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "LOCAL UNIT") AUTHORIZING THE LOCAL UNIT'S PARTICIPATION IN THE BOND FINANCING PROGRAM OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY", is a copy of a resolution which was duly adopted by the Local Unit's governing body at a meeting duly called and held on August 9, 2011 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout and which resolution has been compared by me with the original thereof as contained in the minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to within and the aforesaid resolution has not been repealed, amended or rescinded but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Local Unit this 9th day of August, 2011.

(SEAL)

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

August 9, 2011

RESOLUTION 2011-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that a contract be awarded for bids received on July 29, 2011 for the Public Works Compact Track Loader to Garden State Bobcat, Inc., 999 Route 33, Freehold, NJ 07728 in the amount of \$67,958.12 upon the recommendation of Borough Attorney George McGill.

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

Seconded by Council Member \_\_\_\_\_ 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 August 9, 2011 meeting.

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

**RESOLUTION NO. 2011-**

Mayor Schreck offered the following resolution and moved its adoption:

**BE IT RESOLVED**, that Borough Engineer Bruce Koch is hereby authorized and directed to prepare bid specifications and documents and to provide bid phase services for the purchase of a Public Works/OEM Utility Truck at a fee not to exceed \$1,590.00; and

**BE IT FURTHER RESOLVED**, 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				
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 August 9, 2011 meeting.

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

**RESOLUTION NO. 2011-**

Mayor Schreck offered the following resolution and moved its adoption:

**BE IT RESOLVED**, that Borough Engineer Bruce Koch is hereby authorized and directed to perform professional engineering services for preparing a topographic survey of the Miniature Golf Course at a fee not to exceed \$1,924.00; and

**BE IT FURTHER RESOLVED**, 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				
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 August 9, 2011 meeting.

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

**August 9, 2011**

**RESOLUTION NO 2011-**

Mayor Schreck offered the following resolution and moved its adoption:

1. The Borough of Bradley Beach shall, according to its ability, supply the Chief of the Division of Fire with a marked vehicle to be used for fire suppression and command and control for any incident involving the Division of Fire. The vehicle shall be equipped with such equipment as is needed for fire suppression and command and control. As owner of the vehicle, the Borough shall set the policy for use of the vehicle.
2. The Chief of The Division of Fire shall be permitted to use the vehicle for incidental personal use within reason for the length of his or her term, to the extent that such use reasonably maximizes his or her availability for fire calls.
3. The Chief of the Division of Fire shall be permitted to use the vehicle for fire suppression and anything associated with fire suppression, including but not limited to attending meetings, field visits, conferences, training, and any other travel needed to carry out the duties of Chief of The Division of Fire.
4. The Chief of the Division of Fire shall maintain mileage records on the vehicle, to document the business and personal use of the vehicle. The Chief shall report the mileage totals annually, and shall make his or her records available for inspection by the Borough Administrator, CFO, or auditor upon request.
5. The Borough of Bradley shall maintain adequate insurance on the vehicle at all times. The Division of Fire shall be financially responsible for repairs to the vehicle.
6. The vehicle shall not be used by anyone other than the Chief of The Division of Fire, except that the Chief Of The Division Of Fire may designate other officers or members of The Division Of Fire, as appropriate, to use the vehicle for designated Division of Fire purposes.

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

AYES	NAYS	ABSTAIN	ABSENT
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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 August 9, 2011 meeting.

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MARY ANN SOLINSKI, RMC, CMC  
 Municipal Clerk

August 9, 2011

**RESOLUTION NO 2011-**

**RETIRE INTO CLOSED SESSION AS RECOMMENDED BY THE BOROUGH ATTORNEY FOR DISCUSSION OF PERSONNEL MATTERS PERTAINING TO POLICE ARBITRATION AND DEPARTMENT PERSONNEL MATTERS**

Mayor Schreck offered the following resolution and moved its adoption:

**WHEREAS**, the Mayor and Council desires to hold a closed executive session to discuss matters relating to Police Arbitration and Department Personnel matters determined by the Borough Attorney; and

**WHEREAS**, N.J.S.A. 10:4-13 requires that a resolution be passed at an open meeting calling for the closed session;

**NOW, THEREFORE, BE IT RESOLVED**, that a closed session of the Mayor and Council be held on August 9, 2011 to discuss Police Arbitration and Police Department Personnel matters and that a copy of the minutes of the closed session be available to the public as soon as the matter under discussion is finally and totally resolved.

Seconded by Councilman \_\_\_\_\_ and adopted upon the following vote:

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

**REGULAR MEETING**  
**August 9, 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 6:36 PM**

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

**APPROVAL OF MINUTES**

On Motion by Engelstad/ Cotler approve the minutes for June 28, 2011

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

**APPROVED MOTION**

**Discussion Items**

After reviewing economic details concerning the investment of approximately \$25,000 of borough funds towards the building of a vertical-axis wind turbine at the pump station in conjunction with a \$10,000 grant along with concerns of obtaining a CAFRA (Coastal Area Facility Review Act) permit officials agreed that the installation maybe cost inefficient. Mayor Schreck suggested council may wish to purchase a sustainable street lamp instead of placing a wind turbine at the sewer plant and introduced Gary Hart of Urban Green Energy to explain the possible use for the Sustainable Jersey Grant funding for a solar and wind powered street lamp. The company is an alternative-energy technology development company which produces solar energy systems, wind energy systems, alternative energy support services and alternative energy product lines. Mr. Hart explained that the installation of a turbine at the sewer pump station is in its infant stage and that data is not available to be

in a position of telling Council that the installation will cut the utility bills in half. Mr. Hart further explained that his alternate idea of a UGE's Sanya which is a hybrid street lamp powered by both wind and solar energy could be used for the grant funding. The lamp would cost just over \$10,000 but Mr. Hart said he would waive any costs over the grant amount in order that the Borough would not incur any additional expenses for the lamp and that he would also perform any necessary maintenance for the first five years free of charge. Councilman Cotler suggested UGE partner with the Borough and provide another lamp for placement on Main Street as the first lamp would be placed at the beachfront. He also suggested council consider passing legislation to pave way for such developments in town. Mr. Hart was unreceptive to the suggestion of providing a second street lamp. The Sanya lamp which is created using NASA technology could save \$200 to \$240 per year. William Psiuk addressed Council advising that everything is new for five years and that the borough would have to deal with the escalating maintenance costs after the term of the free maintenance period noting that the salt and sand will in fact affect the structure which can end in a maintenance nightmare. Mayor Schreck stated that Sustainable Jersey's purpose is to get people to try these things and see if they work and that the Borough will take bids from competing wind-energy providers and continue to work on the issue.

Mayor Schreck reminded Council that a decision on the improvements to the Miniature Golf Course must be made within a reasonable time frame and to decide whether the Council will fund the entire project with borough funds and continue to run the course in-house or bid out the work to a private company which would then enter into a lease with the borough to operate the course on its own. Borough Engineer advised that he could perform a topographic survey of the course in order to proceed with the project.

Council reviewed proposals for Garbage/Recycling specifications. A brief discussion ensued, Councilman Cotler expressed concern over collecting recyclable materials on Wednesday. Mr. D'Angelo stated that he would like to see the materials collected on Monday as presently scheduled. The Administrator advised that the borough will proceed with the specifications in order that state law is observed in placing the project out to bid in order for award of contract before the end of the year.

Engineer Koch gave a Capital Project Status Report to Mayor and Council. Mr. Koch noted that he would like to put out to bid for the Improvements to Fletcher Lake Avenue and Lake Terrace Park Project and the Improvements to Hammond Avenue Project at the same time.

Mayor Schreck stated she would like to see an interpretive statement on the referendum concerning the use of pesticides/herbicide on borough properties and submitted a statement proposal to Council for consideration. Councilman Cotler suggested the language was slanted in favor of keeping pesticides. Councilman D'Angelo acknowledged that Mr. Cotler has strong feelings concerning the use of chemical pesticides but that the question must be explained in layman's terms. Council decided to move ahead with taking a vote on the matter.

Council discussed some of the State's Best Practices Survey questions and noted that the Borough should establish policies concerning requirements for elected officials to attend basic courses on responsibilities and obligations in local government and providing annual employment practice liability training.

### **Items added or deleted to Agenda**

On motion by Schreck/D'Angelo to add a resolution to add interpretive statement to the Public Question concerning use of pesticides and herbicides on public property

On motion by Schreck/Engelstad to add a resolution requiring Elected Officials attendance at basic courses on responsibilities and obligations in local government and providing annual employment practice liability training

On motion by Schreck/D'Angelo

Delete the resolution concerning a policy regarding use of the Fire Chief vehicle

Add a resolution granting free beach admission to participants in the 10<sup>th</sup> Annual Robert J. Foti Miniature Golf Tournament on August 13, 2011 (rain date August 14<sup>th</sup>)

Councilman Cotler advised that the Jersey Shore Film Festival would be showing a film as they had done in Deal which is about Bradley Beach.

### **COMMUNICATIONS**

On Motion by Schreck/ D'Angelo approved the a. Bingo Licenses

Sisterhood, CAA BL 5-11

Senior Club, CAA BL 6-11

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Schreck

NAYS: None

ABSENT: Galassetti

APPROVED MOTION

On Motion by Schreck/ Cotler approved a request from Jersey Shore Film Festival to use the Fifth Avenue Gazebo on August 31, 2011.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Schreck

NAYS: None

ABSENT: Galassetti

APPROVED MOTION

### **CONSENT AGENDA**

ON MOTION by Schreck/ D'Angelo the following Resolutions were moved to adoption.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Schreck

NAYS: None  
ABSENT: Galassetti

**ADOPTED RESOLUTIONS**

- Resolution 166      **AUTHORIZES SEWER BILLING FOR BLOCK 63 LOT 2**  
Resolution 167      **BILL LIST**  
Resolution 168      **AUTHORIZES THE RELEASE OF A PERFORMANCE**  
Resolution 169      **GUARANTEE POSTED BY B & G FUEL, 117 MAIN STREET**  
Resolution 170      **AUTHORIZES THE BOROUGH OF BRADLEY BEACH**  
Resolution 171      **PARTICIPATION IN THE BOND FINANCING OF THE**  
Resolution 172      **MONMOUTH COUNTY IMPROVEMENT AUTHORITY**  
Resolution 173      **AWARD OF CONTRACT TO GARDEN STATE BOBCAT, INC.**  
Resolution 174      **OF FREEHOLD, NJ FOR THE PUBLIC WORKS COMPACT**  
Resolution 175      **TRACK LOADER IN THE AMOUNT OF \$67,958.12**  
Resolution 176      **AUTHORIZES THE BOROUGH ENGINEER TO PREPARE**  
Resolution 177      **BID SPECIFICATIONS FOR THE PURCHASE OF A PUBLIC**  
Resolution 178      **WORKS/ OFFICE OF EMERGENCY MANAGEMENT**  
Resolution 179      **VEHICLE AT A FEE NOT TO EXCEED \$1,590.00**  
Resolution 180      **AUTHORIZES THE BOROUGH ENGINEER TO PREPARE A**  
Resolution 181      **MINIATURE GOLF COURSE TOPOGRAPHIC SURVEY AT A**  
Resolution 182      **FEE NOT TO EXCEED \$1,924.00**  
Resolution 183      **GRANTS FREE BEACH ADMISSION TO PARTICIPANTS IN**  
Resolution 184      **THE 10<sup>TH</sup> ANNUAL ROBERT J. FOTI MINIATURE GOLF**  
Resolution 185      **TOURNAMENT ON AUGUST 13, 2011 (RAIN DATE AUGUST**  
Resolution 186      **14<sup>TH</sup>)**  
Resolution 187      **ADDS AN INTERPRETIVE STATEMENT TO THE PUBLIC**  
Resolution 188      **QUESTION CONCERNING USE OF PESTICIDES AND**  
Resolution 189      **HERBICIDES ON PUBLIC PROPERTY ON THE GENERAL**  
Resolution 190      **ELECTION BALLOT FOR NOVEMBER 8, 2011**  
Resolution 191      **REQUIRES ELECTED OFFICIALS ATTENDANCE AT BASIC**  
Resolution 192      **COURSES ON RESPONSIBILITIES AND OBLIGATIONS IN**  
Resolution 193      **LOCAL GOVERNMENT AND PROVIDING ANNUAL**  
Resolution 194      **EMPLOYMENT PRACTICE LIABILITY TRAINING**

**RESOLUTIONS**

- Resolution 174      **NON-BINDING QUESTION ON THE NOVEMBER BALLOT**  
Resolution 175      **CONCERNING THE USE OF PESTICIDES AND HERBICIDES**  
Resolution 176      **ON PUBLIC PROPERTY UNLESS IS IT A MATTER OF**  
Resolution 177      **PUBLIC SAFETY**

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

**ADOPTED RESOLUTION**

Councilman Cotler made a motion with different language which received to no second and the motion did not carry.

## **ANNOUNCEMENTS**

The 10<sup>th</sup> Annual Robert J. Foti Miniature Golf Tournament will be held on Saturday August 13<sup>th</sup> at the miniature Golf Course on Ocean Avenue 10am-2pm. Rain date is Sunday, August 14<sup>th</sup>

Tourism will present a movie in Riley Park on Wednesday, August 17<sup>th</sup> starting at approximately 8:45pm

The Annual Bradley Beach “Kids Race” will be held on Friday, August 19<sup>th</sup> starting on Bradley Boulevard at 6:30pm

The Annual Bradley Beach 5K Race will start at the Fifth Avenue Gazebo on Saturday, August 20<sup>th</sup> at 8:30am

## **REPORTS**

Councilman Cotler thanked all the volunteers involved in the National Night Out event as well as thanking the Tourism Commission for providing a tribute to Elvis Concert last week.

Councilman D’Angelo thanked the Sons of Italy for honoring him during their annual Italian Festival. Mr. D’Angelo also invited the public to attend the 10<sup>th</sup> Annual Robert J. Foti Miniature Golf Tournament.

Councilman Engelstad noted that the Joint Subcommittee is reviewing the Borough’s street cleaning policy.

Mayor Schreck thanked all the employees and volunteers for making the town of Bradley Beach the jewel which it is known as for providing public entertainment and services.

## **PUBLIC COMMENT**

Julia Rand expressed concern for wildlife danger with the use of wind turbines at the beachfront. Ms. Rand also state that she feels it would be best to continue collecting recyclables and garbage on Mondays. She also stated that signage should be provided at the beachfront informing the public where smoking is permitted.

Joseph Applegate noting his thirty years of service to the Borough of Spring Lake Public Works department offered to assist public works superintendent in developing an efficient garbage, recycling, brush and street sweeping schedules for the borough.

Resolution 176

**RETIRED INTO CLOSED EXECUTIVE SESSION AS  
RECOMMENDED BY THE BOROUGH ATTORNEY FOR  
DISCUSSION OF PERSONNEL MATTERS PERTAINING TO  
POLICE ARBITRATION AND DEPARTMENT PERSONNEL  
MATTERS.**

ON MOTION

by Schreck/ Engelstad moved to adoption.

ROLL CALL

AYES: Cotler, D'Angelo, Engelstad, Schreck

NAYS: None

ABSENT: Galassetti

**ADOPTED RESOLUTION**

Council retired into Closed Session at 8:23PM

### **Closed Executive Session 8/9/11**

Council discussed the police lieutenant's grievance concerning unfair work and pay issues. Administrator O'Reilly explained that the police chief advised her that the department can handle the cost associated with promoting the lieutenant to captain retroactive to January 1<sup>st</sup> 2011. She also advised the arbitration hearing is scheduled for tomorrow during which the matter will be resolved. Council members agreed that the lieutenant deserves the promotion and that they would like to offer him a promotion to Captain.

Lt. Fahnholz was invited into the closed meeting and offered a promotion to captain retroactive to January 1<sup>st</sup>. He consulted with his attorney and agreed to accept the promotion.

On motion by Schreck/D'Angelo to return to open session at 8:55PM.

Council returned to open session at 8:56 PM.

Mayor Schreck announced that as a result of the executive session that action will be taken concerning a personnel matter.

Resolution 177

**APPOINTMENT OF STEPHEN FANHOLZ TO THE  
POSITION OF POLICE CAPTAIN WITH RETROACTIVE PAY  
AND TITLE TO JANUARY 1, 2011**

ON MOTION

by Schreck/ Cotler moved to adoption.

ROLL CALL

AYES: Cotler, D'Angelo, Engelstad, Schreck

NAYS: None

ABSENT: Galassetti

**ADOPTED RESOLUTION**

**ADJOURNMENT**

ON MOTION

by Schreck/D'Angelo the meeting was adjourned at 8:57 PM.

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Mary Ann Solinski, RMC, CMC  
Municipal Clerk