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**MAYOR AND COUNCIL
AGENDA
REGULAR MEETING
December 28, 2010**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OPEN PUBLIC MEETINGS ACT STATEMENT**
- 4. ROLL CALL**
- 5. DISCUSSION ITEMS**
 - a. RCA Program update
- 6. ORDINANCES**

FINAL READING & ADOPTION

ORDINANCE NO. 2010- 15

AN ORDINANCE TO AMEND AND SUPPLEMENT THE
REVISED GENERAL ORDINANCE OF THE BOROUGH OF
BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, CHAPTER 5, ADMINISTRATION OF
GOVERNMENT, SECTION 2

INTRODUCTION (none at present)

- 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. CORRESPONDENCE**
 - A. Request from the William Strasser memorial Foundation to hold a 5K Run/Walk on Sunday, July 10, 2011 or on Sunday, July 24th.
- 9. RESOLUTIONS**
 - A. Authorizes payment to Lienholders
 - B. Authorizes payment for refund of tax overpayment
 - C. Transfer of Appropriations
 - D. Bill List
 - E. Determines the interest rate to be charged on delinquent taxes, assessments and sewer charges for 2011
 - F. Authorizes the Chief Financial Officer to pay bills through December 31, 2010
 - G. Authorizes the Chief Financial Officer to cancel 2010 Budget Appropriations at year end 2010

10. PUBLIC COMMENTS- There is a 5 minute limit on comments

11. EXECUTIVE SESSION (Pursuant to N.J.S.A. 10:4-13 et seq. if necessary)

12. ADJOURNMENT

ORDINANCE 2010-15

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED
GENERAL ORDINANCE OF THE BOROUGH OF BRADLEY
BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
CHAPTER 5, ADMINISTRATION OF GOVERNMENT, SECTION 2**

WHEREAS the Borough of Bradley Beach is a duly formed municipal corporation located in the County of Monmouth and State of New Jersey operating pursuant to N.J.S.A. 40:69A-115 et seq., known as the small municipality form of government; and

WHEREAS the Borough of Bradley Beach conducts elections of its members of Council, inclusive of the position of Mayor, pursuant to the N.J.S.A. 40:45-5, et seq., the “Uniform Nonpartisan Elections Law” which required the general elections to be conducted on the second Tuesday in May; and

WHEREAS the Uniform Nonpartisan Election Law has been amended at N.J.S.A. 40:45-7.1 to permit municipalities to adopt an ordinance to change the date for nonpartisan elections to correspond with the November general elections; and,

WHEREAS the Mayor and Council find that by changing the date of the election from May to November that they may achieve cost savings for the Borough and otherwise gain for the Borough the benefits and efficiencies associated with participating in the larger November general election process;

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Bradley Beach that Chapter 5, Section 2, of the Revised General Ordinances of the Borough of Bradley Beach shall be enacted to amend existing law and to read as follows:

5-2. Membership of Council; term of office of Council and Mayor. The Council shall consist of the mayor and four council persons. Members of the council shall be elected at large by the voters of the municipality on the Tuesday after the first Monday in November, or such other day that the general election in November may be held as provided by law, in the years in which municipal officers are to be elected and shall serve for a term of three years beginning on the first day of January next following their election. The Mayor shall be elected, however, for a term of four years beginning on the first day of January next following his or her election.

MARY ANN SOLINSKI
Borough Clerk

JULIE SCHRECK
Mayor

Introduced: December 14, 2010

Date of Hearing and Adoption: December 28, 2010

Date of Publication: _____

RESOLUTION NO. 2010-

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 Certificates have been satisfied, said redemption money having been deposited into the Miscellaneous Trust Fund Account; and

WHEREAS, the following lienholders are now due reimbursement for the redemption of the Tax Sale Certificates;

NOW, THEREFORE, BE IT RESOLVED, that checks be drawn to the following lienholders for redemption of said certificates:

LIENHOLDER	CERT. #/PROPERTY LOCATION	REDEMPTION
Culmac Investors, Inc.	#08-011/511 Ocean Park Ave.	\$2,147.22
	#070010	657.11
	#050010	1,261.88
	Block 30, Lot 4	
Kenneth & Dorothy Hopf	#08-024/406 Second Ave. Block 69, Lot 9	\$1,588.93
Ace Plus	#10-00008/401 Ocean Park Ave. Block 29, Lot 11	\$ 797.01
	Premium Refund:	<u>300.00</u>
	Total:	\$1,097.01

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:

December 28, 2010

RESOLUTION #2010-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the mortgage holder of property located at 514 Lake Terrace, Block 4.01, Lot 4, paid the 4th quarter, 2010, property tax bill; and

WHEREAS, the property owner refinanced and also erroneously paid the 4th quarter property taxes; and

WHEREAS, an overpayment for 4th quarter, 2010 does exist for the above-mentioned property;

NOW THEREFORE BE IT RESOLVED, that a refund check be issued to Wells Fargo, as per their request, for the refund of taxes paid on behalf of their client for the 4th quarter, 2010.

NAME	REFUND
Wells Fargo Real Estate Tax Services, LLC Attn: Financial Support Unit-Region 1 1 Home Camput, MAC X2302-04D Des Moines, IA 50328-0001	\$987.96

BE IT FURTHER RESOLVED that a certified copy 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:

DECEMBER 28, 2010

RESOLUTION NO. 2010-

RESOLUTION DETERMINING RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES AND ASSESSMENTS FOR 2011 AS PERMITTED BY N.J.S.A.54:4-67 AND DETERMINING RATE OF INTEREST TO BE CHARGED ON DELINQUENT SEWER CHARGES AS PERMITTED BY BOROUGH ORDINANCE

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments and for nonpayment of sewer utility charges subject to any abatement or discount for the late payment of property taxes and sewer utility charges as provided by law and;

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on property that fails to pay the delinquency prior to the end of the calendar year, and;

WHEREAS, N.J.S.A. 54:5-61 has been amended and relates to the expenses which may be recovered by a holder of a tax title certificate; and;

WHEREAS, the Mayor and Council of the Borough of Bradley Beach desire to implement the aforesaid amendments.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bradley Beach as follows:

1. The Tax Collector is hereby authorized and directed to charges 8% per annum on the first \$1,500.00 of property taxes and sewer utility charges and special assessment charges becoming delinquent after due date and 18% per annum on any amount in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears after December 31st, an additional penalty of 6% shall be charged against the delinquency, all such payments to be calculated from the date the tax, assessment or charge was payable until the date of actual payment. This shall apply to all existing tax sale certificates held by the Borough of Bradley Beach.

If any special assessment charges remain unpaid for thirty (30) days after the due date the whole assessment or balance thereof shall become immediately due and payable drawing interest at the rate imposed upon the arrearage of taxes and subject to tax lien sale.

2. As to Tax Sale Certificates, the Tax Collector is hereby authorized and directed to collect 2% when the taxes, interest, and costs shall exceed the sum of \$200.00. When the taxes, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$10,000.00, such additional sum shall be equal to 6% of such amount paid. This shall apply to all existing tax sale certificates held by the Borough of Bradley Beach.
3. No interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same becomes payable.
4. Should the date upon which any installment becomes due fall on a date which is a legal holiday or a date when the office of the Tax Collector is not open for business for that day, no interest shall be charged if the payment for such installment is made on the first business day thereafter.
5. For the purpose of this Resolution, “delinquency” means the sum of all taxes, assessments and municipal charges due on a given parcel of property covering any number of quarters or years.
6. Severability. If any provision, or part thereof, of this Resolution shall be adjudged invalid, such determination shall not affect the other provisions hereof, which shall remain in full force and effect.

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

AYES:

NAYS:

ABSTAIN:

ABSENT:

Yr end interest

December 28, 2010

RESOLUTION NO. 2010-

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO
PAY BILLS THROUGH DECEMBER 31, 2010**

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Borough Council of the Borough of Bradley Beach hereby authorizes Joyce Wilkins, Chief Financial Officer, to pay bills through December 31, 2010 and formally report such payments to the Borough Council of the Borough of Bradley Beach at its next regular meeting in 2011.

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 December 28, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

December 28, 2010

RESOLUTION NO. 2010-

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO CANCEL 2010 BUDGET APPROPRIATIONS IN THE CURRENT FUND, SEWER UTILITY AND BEACH UTILITY FUNDS AT YEAR END

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, THE Chief Financial Officer has recommended that budget appropriations be reviewed and canceled at year end after the December 30, 2010 payroll and all other expenses are posted to the Borough’s accounting system; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to surplus; and

WHEREAS, the last regular Borough Council meeting for 2010 is December 28, 2010.

NOW, BE IT RESOLVED, by the Borough Council of the Borough of Bradley Beach that the Chief financial Officer is hereby authorized to cancel Current Fund, Sewer utility and Beach Utility budget appropriations as of December 31, 2010 and formally report said cancellations to the Borough Council of the Borough of Bradley Beach at its next regular meeting in 2011.

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 December 28, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

REGULAR MEETING

December 30, 2010

The meeting scheduled for December 28, 2010 was postponed due to snow and matters were carried to Thursday, December 30, 2010.

The 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 6:37PM

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

PRESENTATION

DISCUSSION ITEMS

The Administrator reported that the Borough is in the final stage with the Department of Community Affairs of re-starting the RCA Program with Wall Township. More details should be available at the next meeting as there is approximately \$100,000 left in the Agreement, possibly a half a dozen home owners may seek funding for repairs to their homes.

ORDINANCES

FINAL READING AND ADOPTION

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

ORDINANCE NO. 2010- 15

AN ORDINANCE TO AMEND AND SUPPLEMENT THE
REVISED GENERAL ORDINANCE OF THE BOROUGH OF
BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW

JERSEY, CHAPTER 5, ADMINISTRATION OF GOVERNMENT,
SECTION 2

ON MOTION by Schreck / Galassetti moved to open the public hearing.

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

NAYS: None

APPROVED MOTION

Mayor Schreck gave a brief explanation of the ordinance to the audience and asked if there were any questions. The proposed ordinance would move the current May elections for the Mayor and Council to the General Election held in November. This action will extend the current terms of the Mayor and Council to expire on December 31st of the year of the expiration of their current terms is 2012 and 2013 respectively. Councilman Engelstad asked how the position on the ballot will be determined. Attorney McGill responded that the County Clerk will make the final decision.

ON MOTION by Schreck/ Galassetti moved to close the public hearing.

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

NAYS: None

APPROVED MOTION

FINAL ADOPTION

ON MOTION by Schreck/ Galassetti moved to adoption.

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

NAYS: None

ADOPTED ORDINANCE

Items added to the Agenda

On motion by Schreck/Engelstad to accept and file the Fire Department Election results.

On motion by Schreck/D'Angelo to add correspondence from the Police Chief Guida requesting an immediate cash sick time payout of 250 days for action under correspondence

On motion by Schreck/Cotler to add extension of the pre-season sale of badges

On motion by Schreck/to authorize the Engineer to prepare and solicit bids for the miniature golf course facility

COMMUNICATIONS

On Motion by Schreck/ Engelstad to request the organizers of the William Strasser Memorial Foundation to re-schedule their 5K Run/Walk event to an off season time of year for use of the beachfront and closure of streets instead of Sunday, July 10, 2011 or on Sunday, July 24th.

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

NAYS: None

APPROVED MOTION

Councilman Engelstad asked the Borough Attorney if the correspondence from the Police

Chief should be a considered a contractual issue and if so should the item be considered under Executive Session. Attorney McGill advised that the matter should be considered in closed session.

On motion by Schreck/Cotler to move this item for discussion at Executive Session.

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

APPROVED MOTION

Mr. D'Angelo briefly stepped off the dais.

On Motion by Schreck/ Galassetti accepted and filed the election results for the 2011 Officers of the Bradley Beach Fire Company.

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

APPROVED MOTION

Public Comment

Councilman Cotler questioned a transfer of appropriations totaling \$10,000.00 be postponed until he sees the appropriate data and receives all documentation available concerning the billing for electric costs as Jersey Central Power and Light Company is claiming they under-billed the Borough for the utility costs. Mayor Schreck noted that the Borough is attempting to negotiate and seek relief the bill still needs to be paid in the meantime.

Lorraine Marchak questioned why the Borough is not adopting a temporary budget for 2011 at Tonight's meeting as when she served on Council this action was always considered at the last meeting of the year. Mayor Schreck responded that the Auditor has advised that it is illegal to adopt a temporary budget until after January 1st.

Ms. Marchak also asked how many plows were used by the Borough to clear the streets during and after the blizzard which started on Sunday as she is concerned that so many streets were not plowed until Wednesday. Councilman Galassetti stated that the Borough has six plow trucks (four larger and two smaller trucks) explained that on the first day one truck was taken out of service after its rear brakes locked up and the smaller trucks simply could not handle the amount of snow which fell. Ms. Marchak noted that her street did not see one plow until Wednesday and now has a five foot wall of snow and asked if the Borough felt this is acceptable and not a dangerous situation and asked if the people on her block should hire someone to take care of their street as the residents had followed the alternate side of the street parking regulations to no avail. Mayor Schreck responded to the best of her knowledge every street was plowed at least one time. Ms. Marchak asked if a Borough truck had an accident. Council responded not to the best of their knowledge during the blizzard. Ms. Marchak said that she believed it happened before the Christmas holiday out of town and that there were witnesses at the scene and she advised that Council should check the bumpers. Administrator O'Reilly stated that believed one vehicle backed up and dented a bumper

which she believes happened before the holiday weekend and would look into the matter. Councilman Cotler said he would like to see the incident report and any bills if there was an accident.

Mayor Schreck and Chief Guida (OEM Coordinator) agreed neither is satisfied with the outcome of the snow removal in town but that Public Works did the best they could during the most disastrous snowstorm in recent history. She noted that she was in contact with Chief Guida and has complete confidence in him and does not interfere with the Office of Emergency Management. Council noted that the state and county were nowhere to be found and that the Borough actually plowed the county roads and that plowing was hindered by people insisting on driving during and immediately after the storm which resulted in their cars being stranded which required Borough trucks being diverted in order to assist in removal of the vehicles. Mass abandonment of such stranded cars after the storm clogged thoroughfares such as Main Street and had to be removed for plows and emergency vehicles to get through.

Jeff Bisbee of LaReine Avenue noting that he has years experience in snow removal while recognizing the severity of the storm asked if a plan which adapts to changing dynamics of a snowstorm might help the Borough as he didn't see any concerted plan in place. He suggested that perhaps other municipal vehicles such as the four wheel drive police cars be mounted with snowplows and could help out in future storms. Mr. Bisbee also urged better communication to residents despite information available on the Borough website and reverse 911 calls to residents. Council also noted that the storm hit the day after Christmas holiday.

Councilman Cotler questioned when certain plows became disabled and the number of plows out during the storm. Chief Guida noted at one point that the front end loader was the only piece of equipment to be used effectively and that vehicles were repaired quickly and put back into service. Councilman Cotler also noted that as a doctor he was not able to get out of his driveway until 9pm on Monday.

Mr. Ed Cicchi said that he feels Councilman Cotler is playing politics with his questions. Mr. Cotler responded that he is not playing politics but rather here to say we did an inadequate job and how we can make the Borough's snowstorm response better. Mayor Schreck and Councilman Galassetti disputed the comment that Borough did an inadequate job during the storm noting the tremendous effort of employees made to keep the borough streets open and safe despite their numerous hours of work.

Chief Guida stated that we can always strive to do better even when things go absolutely right and noted that the Borough will certainly learn from the storm.

Frances Licata commended the Borough's performance during the recent snowstorm.

RESOLUTIONS

Resolution 206

ON MOTION

ROLL CALL

ADOPTED RESOLUTION

AUTHORIZES PAYMENT TO LIENHOLDERS

by Schreck / Galassetti moved to adoption.

AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck

NAYS: None

Resolution 207 **AUTHORIZES PAYMENT FOR REFUND OF TAX OVERPAYMENT**

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

ADOPTED RESOLUTION

Resolution 208 **AUTHORIZES THE TRANSFER OF 2010 APPROPRIATIONS**

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

ADOPTED RESOLUTION

Resolution 209 **AUTHORIZES VOUCHER WARRANTS ON THE TREASURY FOR PAYMENT OF BILLS.**

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

ADOPTED RESOLUTION

Resolution 210 **DETERMINES THE INTEREST RATE TO BE CHARGED ON DELINQUENT TAXES, ASSESSMENTS AND SEWER CHARGES FOR 2011**

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

ADOPTED RESOLUTION

Resolution 211 **AUTHORIZES THE CHIEF FINANCIAL OFFICER TO PAY BILLS THROUGH DECEMBER 31, 2010**

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

ADOPTED RESOLUTION

Resolution 212 **AUTHORIZES THE CHIEF FINANCIAL OFFICER TO CANCEL 2010 BUDGET APPROPRIATIONS AT YEAR END 2010**

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

ADOPTED RESOLUTION

Resolution 213
ON MOTION
ROLL CALL

EXTENDS THE SALE OF PRE-SEASON BADGES FOR 2011.
by Schreck / Galassetti moved to adoption.
AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
NAYS: None

ADOPTED RESOLUTION

Resolution 214

**AUTHORIZES BOROUGH ENGINEER KOXH TO PREPARE
AND SOLICIT BIDS FOR THE IMPROVEMENT OF THE
MINIATURE GOLF FACILITY.**

ON MOTION
ROLL CALL

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

ADOPTED RESOLUTION

REPORTS

Councilman Cotler thanked the employees and volunteers for their hard work during the blizzard.

Councilman D'Angelo wished everyone a healthy New Year.

Councilman Engelstad thanked Chief Guida for his assistance during the storm. He expressed concern over the recent closure of the local Dunkin Donuts store and the fact the Beach Plum Ice Cream store is on the market for sale. He advocated that the Borough should work with the Chamber of Commerce to revitalize the business district

Councilman Galassetti wished everyone a happy holiday and thanked those who worked during the storm. He also thanked Patrolman Arnold for assistance during a recent incident.

Mayor Schreck thanked the local Quick Chek for providing shelter and food to stranded people during the storm. She also thanked those who had sent cards and letters during the holiday season. The Mayor thanked the borough employees and wished everyone a happy new year.

PUBLIC COMMENT

Mr. Strasser expressed disappointment that Council is requesting that his organization re-schedule the 5K event to another date. A discussion ensued between Council and Mr. Strasser during which Council explained their concerns. Councilman Cotler speaking as a medical doctor advocated that the summer months is the worst time for a 5K due to extreme weather conditions which may cause medical emergencies during the race. Councilman Engelstad explained that the Bradley Beach 5K has taken years to achieve their present success and

recommended that the Strasser fund consult with the Jersey Shore Running Club for coordination of a date.

Resolution 215

**RETIRED INTO CLOSED EXECUTIVE SESSION AS
RECOMMENDED BY THE BOROUGH ATTORNEY FOR
DISCUSSION OF CONTRACTURAL MATTERS
CONCERNING THE CHIEF OF POLICE.**

ON MOTION

by Schreck / Galassetti moved to adoption.

ROLL CALL

AYES: Cotler, D' Angelo, Engelstad, Galassetti, Schreck

NAYS: None

ADOPTED RESOLUTION

Council retired into Closed Executive Session at 8:29pm.

Closed Executive Session 12/30/2010

Attorney McGill and Council reviewed some of the items in the proposed Police Chief contract. Discussion included possible state mandated cap of payout for time; contribution towards health benefits; removal of the overtime clause; possible payment of payout over five years and financial affect on budget; limitation of time carryover to one year; elimination of payment of union dues; attendance of courses subject to approval of Mayor and Council; personal car use and a\$1,500.00 per year salary increase.

Attorney McGill noted that his request for payment of accrued time is provided for in his present contract.

Council requested Mr. McGill to prepare correspondence regarding their proposals.

On motion by Schreck/Cotler Council returned to open session.

Council returned to open session at 9:38pm.

Mayor Schreck announced that no formal action will be taken at present.

ADJOURNMENT

ON MOTION by Schreck / Galassetti the meeting was adjourned at 9:39 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk