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**MAYOR AND COUNCIL
AGENDA
REGULAR MEETING
May 13, 2010**

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

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. OPEN PUBLIC MEETINGS ACT STATEMENT**
- 4. ROLL CALL**
- 5. DISCUSSION ITEMS**
 - a. Stephen G. Schueler's Dedication
 - b. Recreation Department's correspondence regarding Yoga lessons on the beach
 - c. Bocce Ball Court use
 - d. VNA of Central Jersey Community Health Center request for miniature golf course tickets
 - e. Use of the Carmen A. Biase Center
 - f. Goose Control Proposal
 - g. Parking on LaReine Avenue and Traffic on Atlantic Avenue
 - h. Status on the towing permit suspension investigation
 - i. Defeated School Budget
 - j. Municipal Deputy Court Administrator vacancy
 - k. ATM proposals
 - l. Shared Service Agreement with the County of Monmouth for 911 Communication Services
 - m. 2010 Municipal Budget
- 6. 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.
- 7. ORDINANCES**

FINAL READING AND ADOPTION

- A. ORDINANCE 2010- 3
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER III,
PERSONNEL AND MORE PARTICULARLY SECTION 3-9.1
OFFICERS AND EMPLOYEES PAID A SPECIFIC SALARY**

INTRODUCTION (none at present)

8. COMMUNICATIONS

- A. Correspondence from Mollye Asher requesting permission to film a short thesis film scene on June 5th at 7PM
- B. Correspondence from Iglesia Pentecostal Maranatha to use Riley Park on June 19, 2010 between 3-7PM

9. RESOLUTIONS

- A. Bill List
- B. Authorizes payment to lienholders
- C. Authorizes the cancellation of outstanding Payroll Checks
- D. Authorizes the cancellation of outstanding Clearing Account checks
- E. Award of ATM proposal (possible)
- F. Authorizes "Operation- Thank You"

10. ANNOUNCEMENTS

The Tour of the Town Garage Sale will be held on May 15th rain date is May 16th

11. MAYOR'S APPOINTMENTS

12. MAYOR AND COUNCIL REPORTS

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

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

15. ADJOURNMENT

May 13, 2010

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 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 Certificate;

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

LIENHOLDER	CERT. #/PROPERTY LOCATION	REDEMPTION
Life Center Academy	#08-022/400 Main St. Block 57, Lot 28	\$23,082.12
Kenneth & Dorothy Hopf	#08-010/324 McCabe Ave. Block 28, Lot 34	\$ 3,486.24

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:

May 13,2010

RESOLUTION 2010 –

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the Borough of Bradley Beach maintains bank accounts in all funds of the Borough for checking accounts, statement savings, passbook savings, money market funds and cash management funds; and

WHEREAS, the Assistant Chief Financial Officer of the Borough reconciles those accounts on a monthly basis to the books and records of the Borough; and

WHEREAS, there exists reconciling items that relate to the period ended June 30, 2009; and

WHEREAS, such items are deemed outdated and stale; and

WHEREAS, generally accepted accounting principals and general accepted internal control standards require periodic review; and

WHEREAS, the Assistant Chief Financial Officer of the Borough has performed a review and determined that such action of cancellation be taken as follows;

Fund	Clearing
Account No.	8017785883

Outstanding Checks

Check No.	Amount
19355	\$71.91
19399	25.00
19404	350.00
20986	40.00
22960	80.00
22998	25.00
23080	150.00
23295	50.00
23350	25.00
23356	7.56
25173	124.00
25312	600.00

Check #	Amount
25632	\$300.00
25804	50.00

Total \$ 1,898.47

NOW, THEREFORE, BE OT RESOLVED that the Assistant Chief Financial Officer be authorized to make such adjustments to the books and records.

BEIT FUTHER 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				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

May 13, 2010

RESOLUTION 2010 –

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the Borough of Bradley Beach maintains bank accounts in all funds of the Borough for checking accounts, statement savings, passbook savings, money market funds and cash management funds; and

WHEREAS, the Assistant Chief Financial Officer of the Borough reconciles those accounts on a monthly basis to the books and records of the Borough; and

WHEREAS, there exists reconciling items that relate to the period ended June 30, 2009; and

WHEREAS, such items are deemed outdated and stale; and

WHEREAS, generally accepted accounting principals and general accepted internal control standards require periodic review; and

WHEREAS, the Assistant Chief Financial Officer of the Borough has performed a review and determined that such action of cancellation be taken as follows;

Fund	Payroll
Account No.	8017786122

Outstanding Checks

Check No.	Amount
13066	\$25.00
14007	280.57
14008	90.60
14161	150.32
14199	169.51
14829	113.34
17156	112.41
17589	392.79
17877	251.79
19091	14.38
19184	14.38
Total	\$ 1,615.09

NOW, THEREFORE, BE IT RESOLVED that the Assistant Chief Financial Officer be authorized to make such adjustments to the books and records.

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				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

May 13, 2010

RESOLUTION NO. 2010 –

RESOLUTION HONORING THE MEN AND WOMEN OF OUR ARMED FORCES AND RECOGNIZING THE SACRIFICES BEING MADE BY THEM, AND ALSO THEIR FAMILIES, AND PROCLAIMING THE COMMENCEMENT OF “OPERATION: THANK YOU” WITHIN THE BOROUGH OF BRADLEY BEACH, AND AUTHORIZING FREE BEACH ADMISSION DURING THE 2010 BEACH SEASON TO ALL ACTIVE MILITARY PERSONNEL AND THEIR DEPENDENTS.

Mayor Schreck offered the following resolution and moved for its adoption:

WHEREAS, members of the armed forces of the United States, including residents of the Borough of Bradley Beach, are today actively engaged in combat operations in Afghanistan and Iraq, or are deployed or otherwise serving in support of those operations, and/or in support of the on-going efforts of our Armed Forces throughout the world; and

WHEREAS, since the commencement of combat operations in Afghanistan and Iraq, the men and women of the New Jersey National Guard have been called up to active duty status in increasing numbers, and their support and service has been and will continue to be essential to the overall success of military efforts both home and abroad; and

WHEREAS, the ongoing hostilities in Afghanistan and Iraq, and the call to active service of thousands of New Jersey’s National Guard Reservists, have added stress and sacrifice to the lives of thousands of families of our active duty military; and

WHEREAS, the residents of the Borough of Bradley Beach want our troops and their families to know that they are in our hearts and on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day; and

WHEREAS, the Mayor and Council are authorized to provide free admission to the beaches for participants in “special beach events, program or promotions”; and

WHEREAS, the Mayor and Borough Council, on behalf of all the families of Bradley Beach, wish to honor and recognize our active military personnel and their families by establishing a special program for the Summer of 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bradley Beach that in honor and recognition of our active military personnel and their families, and to demonstrate the gratitude of the residents of the Borough of Bradley Beach for the daily sacrifices they are making, the Mayor and Council of the Borough of Bradley Beach hereby announce the commencement of “**OPERATION: THANK YOU**”; and

BE IT FURTHER RESOLVED, that pursuant to and in accordance with Section 18-2.5 (h) of the Revised General Ordinances of the Borough of Bradley Beach, that free beach admission be provided during the 2010 Season to each member of the active military and their dependents upon the presentation of a valid military identification card at any beach gate;

BE IT FURTHER RESOLVED, that Bradley Beach’s business community be invited and encouraged to participate in “**Operation: Thank You**” by providing discounts to our active military and their dependents, and by otherwise recognizing their sacrifices and services and joining the residents of Bradley Beach in welcoming them to our community;

BE IT FURTHER RESOLVED, that New Jersey’s other coastal communities be and hereby are invited to join with Bradley Beach in providing free beach admission to members of our active military and their dependents and/or in otherwise demonstrating their support for our troops and their families, and the Borough Clerk is hereby directed to forward copies of this Resolution to the governing bodies of New Jersey’s other Coastal communities and to forward a copy of the Resolution to the New Jersey League of Municipalities;

BE IT FURTHER RESOLVED that the Resolution shall take effect immediately and shall remain in effect throughout the 2010 beach season;

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

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
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 May 13, 2010 meeting.

MARY ANN SOLINSKI, RMC, CMC
Municipal Clerk

REGULAR MEETING
May 13, 2010

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 6:43PM

Present: Council: Cotler, Marchak, Engelstad, Galassetti
Mayor Schreck
Borough Attorney Patrick Diegnan
Business Administrator O'Reilly
Secretary: Municipal Clerk Mary Ann Solinski

On motion by Schreck/Engelstad to discuss the Defeated School Budget

DISCUSSION ITEMS

Defeated School Budget

School Superintendent Turner explained that the \$352,935 cut in state aid had a detrimental effect on the school budget and that the total aid this year will be \$965,397.00. The total proposed School Budget for the 2010-2011 School year presented at the School Election in April is \$6,652,983 with \$4,866,351 to be raised through school taxes. He explained that the Board of Education has worked on the tax rate which has gone down over the previous four years and that this year's proposal is lower than it was for the 2006-2007 school year. Councilman Galassetti questioned several of the line items asking if there were any possible adjustments which could be made. Unfortunately, the school officials stated that many of them are mandated. Council agreed that they would not take away anything that would affect the children. After discussion Council agreed to cut \$10,000 from the proposed budget and asked which line the Board feels could handle an adjustment. Board Secretary David Tonzola said that the Board would be comfortable making a recommendation that the building maintenance line as the board can access funds from the reserve maintenance if more funding is necessary throughout the year.

On motion by Schreck/Engelstad to discuss the 2010 Municipal Budget.

2010 Municipal Budget

Mayor Schreck explained that the municipal budget presently is about \$131,000 over the state mandated 4% levy cap (state law which stipulates that a municipality may not increase its tax levy which is the portion of the budget raised through local taxation more than 4% from one year to the next). Auditor Kaplan explained that the budget can be introduced over the levy cap if the Council chooses to apply to the State Local Finance Board for a cap waiver provided that Council introduces the budget at the next Council meeting at the latest. He said that the application for the cap waiver will have to be submitted by May 19th. Council also received a memo from Police Chief Guida requesting an immediate sick time payout of 60 days which Administrator O'Reilly noted is approximately \$30,000. Mr. Cotler and Ms. Marchak stated that they would like to review the budget again instead of applying for a waiver as there maybe other adjustments which could be made. Mr. Galassetti asked if the department heads could review and recommend further reductions in the appropriations. Administrator O'Reilly stated that the departments have already made their recommendations and it would not be the best course of action. Council also discussed possibly raising the tax collection rate to 98.7% which could allow the borough to anticipate more money and reduce \$109,000 from the budget. Council also discussed reducing other line items amounting to \$25,000 from the budget. Council did not take action on the proposals as the Administrator and Auditor will review the proposed reductions.

The Administrative Office of Courts is requiring a full time deputy with full qualifications which must be answered May 14th.

Council reviewed and authorized the Administrator to finalize review of proposals and award a contract for ATM services.

Council reviewed the proposal for a Shared Service Agreement with the County of Monmouth for 911 Communication Services

Councilwoman Marchak said that a rock is presently in place by the fountain on Ocean Avenue and just requires a plaque with wording for the former Mayor Stephen G. Schueler's Dedication which she said could possibly be dedicated during the Memorial Day Parade on May 29th. Funding in the amount of \$1,000 is available for the plaque.

The Recreation Department submitted correspondence regarding Yoga lessons on the beach was accepted and filed.

Councilman Cotler said that in keeping with low cost fun that he would like to form a Bradley Beach Bocce Ball League and would like to reserve the bocce courts on Sundays in July and August between four and seven. Council agreed that this will be a good activity.

Council reviewed a request for the VNA of Central Jersey Community Health Center for miniature golf course tickets and agreed to give ten tickets for their Community Day Event on Saturday, May 15, 2010.

Council reviewed a request to use the Carmen A. Biase Center for Anna Little who is a candidate in the Primary Election to have an informal meet and greet. Council noted that there is an ordinance prohibiting political activities on Borough property and denied a request submitted by Susan Barry.

Council noting that the Geese Peace Agreement has ceased after reviewing a note submitted by Fletcher Lake Chairman Quixley proposing that the trained volunteers on the Commission continue to oil the geese eggs on Fletcher Lake and would also help at Sylvan Lake. Mr. Quixley noted that the Commission would like to continue chasing the geese off the lake with a kayak but would like to continue to use Geese Peace's trained dog Cam. Goose Control Technology also submitted a proposal for a preventive plan of hazing and egg treatment. The cost for Bradley Beach would be as follows; Cost for lasers and training \$600; Egg treatment \$750 for Sylvan Lake as the costs would be shared with Avon and Fletcher Lake \$1,500. Councilman Cotler stated that he has tried to reach Goose Control but has not received a response and feels that a line item should remain in the budget but feels no commitment by the Borough should be made at present.

Council decided to have the Police Department conduct a traffic study after full occupancy of the Bradley Village complex on LaReine Avenue before changing parking time limits in the immediate area as requested by Mr. Beckman and feel that no amendment should be made to the present ordinance at this time. Council also received a request to consider making Atlantic Avenue a one way street until the police department completes a study on Traffic. Attorney Diegnan recommended that before any decision is determined that letters should be sent to all residents advising that a hearing for them to express their views will be held on this particular matter.

Police Lt. Scully advised Council that the towing permit suspension investigation is still an ongoing matter at this time.

ORDINANCES

FINAL READING AND ADOPTION

ORDINANCE 2010- 3
AN ORDINANCE TO AMEND AND SUPPLEMENT 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: Cotler, Marchak, Engelstad, Galassetti, Schreck
NAYS: None

APPROVED MOTION

Mayor Schreck gave a brief explanation of the ordinance

ON MOTION by Schreck/ Galassetti moved to close the public hearing.
ROLL CALL AYES: Cotler, Marchak, Engelstad, Galassetti, Schreck
NAYS: None

APPROVED MOTION

FINAL ADOPTION

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

ADOPTED ORDINANCE

COMMUNICATIONS

On Motion by Schreck / Marchak approved a request from Mollye Asher for permission to film a short thesis film scene on June 5th at 7PM.

ROLL CALL AYES: Cotler, Marchak, Engelstad, Galassetti, Schreck
NAYS: None

APPROVED MOTION

On Motion by Engelstad / Galassetti denied a request from Iglesia Pentecostal Maranatha to use Riley Park on June 19, 2010 between 3-7PM.

ROLL CALL AYES: Cotler, Marchak, Engelstad, Galassetti, Schreck
NAYS: None

APPROVED MOTION

RESOLUTIONS

Resolution 49 **ESTABLISHES THE 2010-2011 SCHOOL BUDGET AT \$4,856,351.00 FOR BRADLEY BEACH SCHOOL DISTRICT.**

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

ADOPTED RESOLUTION

Resolution 50 **AUTHORIZES VOUCHER WARRANTS ON THE TREASURY FOR PAYMENT OF BILLS.**

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

ADOPTED RESOLUTION

Resolution 51 **AUTHORIZES PAYMENT TO LIENHOLDERS ON VARIOUS PROPERTIES.**

ON MOTION by Schreck / Galassetti moved to adoption.
ROLL CALL AYES: Engelstad, Galassetti, Schreck
 NAYS: Cotler, Marchak

ADOPTED RESOLUTION.

Resolution 52 **AUTHORIZES THE CANCELLATION OF OUTSTANDING PAYROLL CHECKS**

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

ADOPTED RESOLUTION.

Resolution 53 **AUTHORIZES THE CANCELLATION OF OUTSTANDING CLEARING ACCOUNT CHECKS**

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

ADOPTED RESOLUTION

Resolution 54 **AUTHORIZING FREE BEACH ADMISSION TO ALL ACTIVE MILITARY PERSONNEL AND THEIR DEPENDENTS “OPERATION-THANK YOU”.**

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

ADOPTED RESOLUTION.

ANNOUNCEMENTS

The Tour of the Town Garage Sale will be held on May 15th rain date is May 16th

Monmouth County's subsidized composter program information is available in an effort to encourage composting in order to improve the health of the soil, reduces tonnage and saves everyone money.

REPORTS

Mayor Schreck announced that she attended a recent meeting of the New Jersey Conference of Mayors and that child illness costs were discussed.

PUBLIC COMMENT

John McLoughlin a representative of the Fire Department thanked the Mayor and Council for full funding of the departments request in this year's budget. He also expressed that if any interlocal were to be considered that perhaps the Borough could enter into police dispatch services with the Borough of Avon. He also noted that proper facts are necessary when considering a feasibility study.

Marilyn Rosen asked who pays for the Borough's fireworks as the Borough is experiencing budgetary problems this year. Mayor Schreck answered saying that the Tourism Commission funds the event. Mrs. Rosen noted that no revenues are collected by the Borough during this event and noted that some local communities have cancelled their fireworks display due to budget restraints this year. Mrs. Rosen questioned whether the Borough will be purchasing the beach walkways this year. Mayor Schreck noted that during budget workshop that the Borough will be purchasing some type of walkways but that Council will make a determination of the type of walkways to be used and where placement will be. Ms. Rosen noted that she has been collecting monies for this project where the majority of contributors have selected Second Avenue and that perhaps some resident of the north end could help solicit donations for additional walkways for the north end of town. She also noted that while Mayor and Council will make a final decision on the type of accessibility walkway and location placement at the beachfront that she would like to see them purchased soon in order that the public may enjoy our beachfront. Mrs. Rosen also discussed a Pepsi Grant contest in order to obtaining more monies for the purchase of the walkways.

John Weber expressed his displeasure at Council for their not supporting an interlocal agreement with Neptune Township for police dispatch services. He brought a DVD's from 2007 and 2008 in which candidates for those respective year's elections stated that they supported interlocal services.

PtIm. Arnold noted that everyone is in favor and supports interlocal services for cost savings when they make sense and noted that the recent dispatch study had inaccuracies. He also asked Mayor Schreck for clarification whether she sent an email to Robin Kirk in Belmar around 11:30pm after the meeting stating that Bradley Beach does not intend to continue in the Dispatch Interlocal Study. Mayor Schreck replied that she had sent an email to her but didn't state that the Borough would not be involved. PtIm. Arnold noted that as the County

has the ability to set the cost for the Borough share of county 911 calls that the Township of Neptune would have control of setting fees for 911 calls as well as the dispatch services. Mayor Schreck replied that one is a client owner relationship and the other is a partner relationship. She also stated that the study is an ongoing project noting that a lot of taxpayer money was used to update headquarters building.

Councilman Galassetti noted that everyone wants shared services agreements and the Borough currently has some interlocal agreements such as the interlocal with the sewer truck and hopes to possibly enter into interlocal agreements on public work's equipment with Avon possibly next year.

Wayne May stated that hopefully the First Aid and Fire Department will start discussions in the near future for sharing the building and would support an interlocal with Belmar and/or Avon. He also suggested a Bradley Beach Day should be re-instated by the Borough as done in the past.

ADJOURNMENT

ON MOTION by Schreck / Galassetti the meeting was adjourned at 11:27 PM.

Mary Ann Solinski, RMC, CMC
Municipal Clerk