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**MAYOR AND COUNCIL  
AGENDA  
REGULAR MEETING  
May 25, 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. Municipal Budget Workshop
  - b. Stephen G. Schueler's Dedication
  - c. Greenway/Maritime Forrest Concept for the North End Parking Lot
  - d. Police Dept. Towing Investigation
  - e. Energy update
  - f. IRS Code Section 125 Cafeteria Plan
- 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**

**INTRODUCTION (none at present)**
- 8. COMMUNICATIONS**
  - A. Café Licenses  
UVA on Main, LLC                      800 Main Street
- 9. RESOLUTIONS**
  - A. Setting forth the reason for delay of Introduction of the Municipal Budget for 2010
  - B. Authorizes Application to the Local Finance Board pursuant to N.J.S.A. 40A:4-45.46
  - C. Introduction of the 2010 Municipal Budget
  - D. Bill List

- E. Authorizes disallowance for property tax deductions from for various properties
- F. Authorizes the extension of the existing Trash Contract
- G. Authorizes the extension of the existing Recycling Contract
- H. Appointment of Special Class I Police Officers
- I. Authorizes execution of a Business Electricity Contract with Gexa
- J. Authorizes an IRS Code Section 125 Cafeteria Plan

**10. ANNOUNCEMENTS**

The Annual Memorial Parade will be held on Saturday, May 29, 2010 on Ocean Avenue starting at 10AM. Also on Saturday, May 29<sup>th</sup> from 9am to 9pm and Sunday, May 30<sup>th</sup> from 10am to 7pm – Food, Entertainment, Crafts, Vendors and Kiddie Rides at the beachfront.

The Annual Memorial Day Ceremony will be held in Riley Park at 10am.

The Annual Go Fish contest will be held on June 6, 2010 starting at 10am Sylvan Lake.

**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**

RESOLUTION 2010-

**RESOLUTION OF THE BOROUGH OF BRADLEY BEACH,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,  
SETTING FORTH REASON FOR DELAY OF  
INTRODUCTION OF MUNICIPAL BUDGET FOR 2010**

WHEREAS, according to N.J.S.A. 40A:4-5.1 and the Director of the Division of Local Government Services, a Municipality which does not introduce its Municipal Budget for 2010 by March 31, 2010, must set forth its reasons for such delay; and

WHEREAS, the Borough Council of the Borough of Bradley Beach did not complete the 2010 Budget until May 20, 2010; and

WHEREAS, after finalizing the 2010 Municipal Budget, time was required for the processing thereof; and

WHEREAS, the Mayor and Borough Council were unable to assemble with a quorum for a public meeting until May 25, 2010.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Bradley Beach requests the Director of the Division of Local Government Services to accept the late filing of the Borough of Bradley Beach's 2010 Municipal Budget.

BE IT FURTHER RESOLVED, by the Mayor and Borough Council of the Borough of Bradley Beach that the Borough Clerk be and she is hereby authorized to forward copies of the within Resolution, certified to be true copies to the following:

1. Division of Local Government Services  
Department of Community Affairs  
Trenton, New Jersey 08625

<u>ROLL CALL:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Mr. Cotler				
Ms. Marchak				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

**Resolution Of The Borough of Bradley Beach  
Making Application To The Local Finance Board  
Pursuant To N.J.S.A 40A:4-45.46**

WHEREAS, the Mayor and Borough Council of the Borough of Bradley Beach in the County of Monmouth desires to make application to the Local Finance Board for its approval of a proposed levy cap waiver pursuant to N.J.S.A. 40:4-45.46 and,

WHEREAS, the Mayor and Borough Council believes that:

- (a) it is in the public interest to accomplish such purpose; and,
- (b) the levy cap waiver is for the health, wealth, convenience or betterment of the inhabitants of the Borough of Bradley Beach and,
- (c) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough of Bradley Beach and will not create an undue financial burden to be placed upon the Borough of Bradley Beach;

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the Borough of Bradley Beach are hereby authorized to prepare such application and to represent the Borough of Bradley Beach in matters pertaining thereto.

Section 2. The Municipal Clerk of the Borough of Bradley Beach is hereby directed to file a copy of the proposed levy cap waiver with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Recorded Vote

AYE:

NO:

ABSTAIN:

ABSENT:

Certification:

The foregoing is a true copy of a resolution adopted by the Mayor and Borough Council of the Borough of Bradley Beach on May 25, 2010.

\_\_\_\_\_  
(Signature and seal of clerk)

\_\_\_\_\_  
Date

May 25, 2010

RESOLUTION NO. 2010-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, a senior citizen who filed for the allowance of \$250 per year, deducted from their property tax bill, must file an Annual Post Tax Year Statement (PD5) with the Tax Collector by March 1, of the subsequent year. This statement is for the purpose of verifying income and residency for the deduction; and

WHEREAS, senior citizen deductions are disallowed for exceeding the income limitation or removed based upon the findings of the Post Tax Year Statement and the \$250 deduction is subsequently charged back to the property owner;

NOW, THEREFORE, BE IT RESOLVED that the owners of the following properties be disallowed for 2009 as listed:

<u>BLOCK/LOT</u>	<u>AMOUNT DISALLOWED</u>	<u>REASON</u>
11/13	\$250	Failure to File PD5
15/10.02	\$250	Failure to File PD5
22/15	\$250	Failure to File PD5
23/1	\$250	Failure to File PD5
29/9	\$250	Failure to File PD5
55/3	\$250	Failure to File PD5
66/11.09	\$250	Failure to File PD5

Total Disallowance: \$1,750.00

NOW, THEREFORE, 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:

May 25, 2010

**RESOLUTION 2010-**

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Trash Contract awarded to DeLisa Demolition, Inc., 64 Steiner Avenue, Neptune City, New Jersey 07753 on May 22, 2007 which expires on May 31, 2010 is extended through December 31, 2010 at a fee of \$12,500.00 per month upon the recommendation of the Borough Attorney.

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				
Ms. Marchak				
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 May 25, 2010 meeting.

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

May 25, 2010

RESOLUTION 2010-

Mayor Schreck offered the following resolution and moved its adoption:

BE IT RESOLVED, that the Recycling Contract awarded to Future Sanitation, Inc., 385 Cranberry Road, Farmingdale, New Jersey 07727 on March 10, 2009 which expires on May 31, 2010 is extended on a month to month basis up to and including December 31, 2010 at the fee of \$3,700.00 per month upon the recommendation of Borough Attorney Patrick Diegnan.

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

Seconded by Council Member Engelstad and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Ms. Marchak				
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 May 25, 2010 meeting.

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



May 25, 2010

**RESOLUTION NO. 2010-**

Mayor Schreck offered the following resolution and moved its adoption:

**BE IT RESOLVED**, that the Mayor is hereby authorized and directed to execute a Business Electricity Contract with Gexa for services commencing July 2010.

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 25, 2010 meeting.

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

May 25, 2010

**BOROUGH OF BRADLEY BEACH**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 2010-**

**A RESOLUTION TO ADOPT IRS CODE SECTION 125 CAFETERIA PLAN DOCUMENT**

Mayor Schreck offered the following resolution and moved its adoption:

**WHEREAS**, the State of New Jersey, has mandated all municipal employees to begin contributing 1.5% of their base wages toward the cost of group health insurance premiums; and

**WHEREAS**, the Borough has determined it is beneficial to allow these contributions to be made through a pre-tax payroll deduction; and

**WHEREAS**, an IRS Code Section 125 plan must be adopted in order to effectuate this pre-tax treatment;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Bradley Beach, County of Monmouth and State of New Jersey, that the IRS Code Section 125 plan document attached hereto and made a part hereof is hereby adopted.

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 25, 2010 meeting.

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